

State of Vermont

Buildings and General Services
Office of Purchasing & Contracting
109 State St
Montpelier VT 05609-3001
United States

CONTRACT



Vendor ID 0000267338
Needham Electric Supply Corp
dba Yankee Electric Supply
276 E Allen St
Winooski VT 05404
United States

Phone #:

Contract ID 0000000000000000000032771		Page 1 of 7
Contract Dates 11/01/2016 to 10/31/2018		Origin CPS
Description: CPS-LED LIGHTS & FIXTURES		Contract Maximum \$999,999.00
Buyer Name Berini,Brian Jon	Buyer Phone 802/828-2217	Contract Status Approved

Line #	Item ID	Item Desc	UOM	Unit Price	Max Qty	Max Amt
1		ILP BLDT-15WLED-UNIV-4000K-***-AB15 DARK SKY: YES SMARTLIGHT: NO	EA	343.28000	0.00	0.00
2		Lumec RFM-72W32LED4K-T-R2M-UNIV-DMG-RCD-WC10-G Y3 DARK SKY: YES SMARTLIGHT: NO	EA	210.00000	0.00	0.00
3		"ETI 53167141 10.5W 670LM 4K 5"/6" LED DOWNLIGHT KIT - DIM (T24) DARK SKY: YES SMARTLIGHT:NO"	EA	18.95000	0.00	0.00
4		RAB SLIM26 DARK SKY: YES SMARTLIGHT: NO	EA	167.78000	0.00	0.00
5		MaxLite ELLF540DW50 DARK SKY: YES SMARTLIGHT:NO	EA	1,694.44000	0.00	0.00
6		MaxLite BP35AUT550BPM0 DARK SKY: YES SMARTLIGHT:NO	EA	83.33000	0.00	0.00
7		RAB BLED20 DARK SKY: YES SMARTLIGHT: NO	EA	238.89000	0.00	0.00
8		ASD-SFL2050DARK SKY: YES SMARTLIGHT:NO	EA	26.47000	0.00	0.00
9		ASD-SFL5050 DARK SKY: YES SMARTLIGHT:NO	EA	49.41000	0.00	0.00
10		ASD-SFL10050DARK SKY: YES SMARTLIGHT: NO	EA	137.65000	0.00	0.00
11		"GE LED10DR303/830W 10W LED R30 LMP 68161 DARK SKY: NO SMARTLIGHT: YES"	EA	14.95000	0.00	0.00
12		"GE LED18D38OW384025 18W PAR38 LED 93171 DARK SKY: NO SMARTLIGHT: YES"	EA	20.95000	0.00	0.00
13		"GE LED16DA212/827 100W REPLACEMENT 12349 "	EA	12.00000	0.00	0.00
14		"GE LED16DA212/827 100W REPLACEMENT 12349 DARK SKY: NO SMARTLIGHT: YES"	EA	12.00000	0.00	0.00
15		"GE LED7DP203W830/20 7W PAR20 LMP 93347 DARK SKY: NO SMARTLIGHT: YES"	EA	14.95000	0.00	0.00
16		Energy Focus LEDRFK DW-VFL-MD DARK SKY: YES SMARTLIGHT: NO	EA	218.81000	0.00	0.00
17		REMPHOS RPT-LEDBLOCKG2-6500LM-5000K-10VDIM : YES SMARTLIGHT: NO	EA	172.22000	0.00	0.00
18		LEDWP-6S6VFL-RFKDARK SKY: YES SMARTLIGHT:NO	EA	132.24000	0.00	0.00

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19		"GE LED11DA19/827 11W LED A19 LAMP 11328 DARK SKY: NO SMARTLIGHT: YES"	EA	7.99000	0.00	0.00
20		"GE LED12G24Q-H/840 LED PLUG-IN LAMP 96769 DARK SKY: YES SMARTLIGHT:NO"	EA	15.25000	0.00	0.00
21		RAB PRT70W/D10/WS2, Smartlight=No. Dark Sky=No.	EA	372.22000	0.00	0.00
22		RAB HS45-W	EA	11.67000	0.00	0.00
23		RAB PRT70W/D10/WS2, Smartlight=No. Dark Sky=No.	EA	372.22000	0.00	0.00
24		Maxlite CP40AUTx50B000 Dark Sky=No, Smartlight=No	EA	127.78000	0.00	0.00
25		Lithonia, 2GTL2LPSXX,Lithonia 2x2 Troffer, 39W, 3700 lumen, 3500K or 4000K color temperature. XX refers to color temperature. Dark Sky-NO, Smartlight-NO.	EA	81.67000	0.00	0.00
26		"CREE ZR22-32L-40K-CMA 35W TROF Dark Sky No Smartlight No"	EA	143.67000	0.00	0.00
27		"CREE ZR24-40L-40K-CMA 44W TROF Dark Sky No Smartlight No"	EA	159.22000	0.00	0.00
28		LRK24D35xx	EA	111.00000	0.00	0.00
29		MAXLITE MLVT22D35xx/SB Dark Sky No Smartlight No	EA	62.22000	0.00	0.00
30		MAXLITEMLVT24D42xx/SB Dark Sky No Smartlight No	EA	95.56000	0.00	0.00
31		MAXLITE MLFP24EP50xx Dark Sky No Smartlight No	EA	91.11000	0.00	0.00
32		MAXLITE LF-4836U-40 Dark Sky No Smartlight No	EA	81.11000	0.00	0.00
33		ASD-LRHB1-150D50HE and Dark Sky No Smartlight No	EA	234.12000	0.00	0.00
34		RAB ALED3T78/XXRAB, Pole Light, 78W, 5100K, 120-277V, XX refers to photo control option Dark Sky YES Smartlight No	EA	422.35000	0.00	0.00
35		RAB WPLED26-XXRAB Wallpack, 30W, SOOOK, XX refers to Photocell option Dark Sky YES Smartlight No	EA	197.65000	0.00	0.00

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36		MAXLITE QM3AU7Tx50PMB Dark Sky YES Smartlight No	EA	431.76000	0.00	0.00
37		ASD-WHB-4D9050HE 12000 LMNW/ LENS ASD-LWHB90 Dark Sky No Smartlight No	EA	170.59000	0.00	0.00
38		ASD-WHB-4D14050HE P 18,000 LMN, W/ LENS ASD-LWHB140 Dark Sky No Smartlight No	EA	238.82000	0.00	0.00
39		ASD-WHB-4D18050HE 24000 LMNW/ LENS ASD-LWHB180 Dark Sky No Smartlight No	EA	312.94000	0.00	0.00
40		"LITH ZL1NL485000LMFSTMVOLT40K80CRIW Dark Sky No Smartlight No"	EA	116.47000	0.00	0.00
41		"LITH SBL4 40L EZ1 LP840 Dark Sky No Smartlight No"	EA	92.94000	0.00	0.00
42		"LITH ZL1N L48 7000LM FST MVOLT 40K 80CRI WH Dark Sky No Smartlight No"	EA	140.00000	0.00	0.00
43		MAXLITE LSU4806SU50DV40 Dark Sky No Smartlight No	EA	103.53000	0.00	0.00
44		MAXLITE QM2AU7Tx50PMB , Dark Sky Yes Smartlight No	EA	361.18000	0.00	0.00
45		"GE LED18D38OW384040 18W PAR38 LED 93172 Dark Sky No Smartlight No"	EA	20.95000	0.00	0.00
46		Maxlite SKPT12LEDU50E26 Dark Sky No Smartlight No	EA	38.24000	0.00	0.00
47		MaxliteSKPT30LEDUXXE39 Dark Sky No Smartlight No	EA	81.18000	0.00	0.00
48		Light Efficient Design LED-8024EDark Sky No Smartlight No	EA	83.65000	0.00	0.00
49		Light Efficient Design LED-8029E Dark Sky No Smartlight No	EA	51.88000	0.00	0.00
50		Maxlite SKPT20LEDUxxE26 Maxlite, Post Top LED, 12W, 120-277V, XX refers to color temperature Dark Sky No Smartlight No	EA	45.88000	0.00	0.00
51		Maxlite CAN20U50BCanopy light, 20W, 5000k Dark Sky No Smartlight No	EA	88.24000	0.00	0.00
52		ASD-LVP2SM-4N3140HE Dark Sky No Smartlight No	EA	87.06000	0.00	0.00

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53		Leviton ODSIO-IDX, Switch type occupancy sensor, Single Pole, 120/277V, X refers to color of switch Dark Sky No Smartlight No	EA	32.00000	0.00	0.00
54		"GE LED7DA19/827 7W LED A19 LAMP 11332 , Energy Star Rated, DARK SKY=NO, SMARTLIGHT=YES."	EA	7.99000	0.00	0.00
55		LED FIXTURES MOUNTED ON BLDG (1LENS/FIXTURE), 523-000095-03 - 912400130225, Philips DCP400 4000 100-277V UL EW REACH, 125W COMPACT POWERCORE, 4000K,100-277V, UL	EA	1,788.42000	0.00	0.00
56		LENSES FOR LED FIXTURES - 8 DEGREE, 120-000068-05- 910503700511,ZCP770 BSP A8 ACCESSORY, COLORREACH, SPREAD LENS, 8 DEGREES	EA	163.16000	0.00	0.00
57		LENSES FOR LED FIXTURES - 13 DEGREE, 120-000068-00 - 910503700506, ZCP770BSP A13 ACCESSORY,COLORREACH,SPREAD LENS, 13 DEGREES	EA	163.16000	0.00	0.00
58		LIGHTING, 523-000069-14 - 910503702377, BCP473 36xLED-HB-4000 1D0- 277V 100 WH UL EW BLAST POWERCORE, 4000K, NO OPTICS, WHITE HOUSING, UL	EA	385.26000	0.00	0.00
59		LIGHTING, ASL-A-8L5K-210-3-U-XX-7PR, 62W, 5000K, TYPE 3 DISTRIBUTION, 120-277V, XX REFERS TO COLOR OF FIXTURE, 7PIN PHOTOCELL. HUBBELL. DARK SKY=NO. SMARTLIGHT=NO.	EA	341.29000	0.00	0.00

All LEDs furnished under this contract shall be either Design Lights Consortium or ENERGY STAR certified fixtures.

In an effort to remain current with the industry and in procuring the most environmentally preferable products, contractor shall introduce new, improved LEDs for consideration throughout the term of this contract.

It is preferred that packaging for products supplied under this contract meet the following: reduced packaging, recycled paper products, soy-based inks, and chlorine-free paper stock.

Collaboration with Efficiency Vermont: The State of Vermont and Efficiency Vermont have created a system where rebates are paid to the state for qualifying energy-efficient lighting equipment, based on quarterly sales data. Contractor shall track sales of all lighting equipment sold to the state, by district or agency, and provide the sales data to Efficiency Vermont on a quarterly basis in spreadsheet format.

The quarterly sales information shall include:
Distributor division
Date of each sale
Product model #
Product description
Quantity of products for each sale
Invoice number of each sale
Rebate requested (US\$; optional)
Installation customer name

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Installation address
Installation zip code
Billing name & billing address (contractor or end user)
Customer type (residential or commercial)

The exception to this requirement shall be LED products that are covered by Efficiency Vermont's SMARTLIGHT program. Products sold through this program shall be reported to Efficiency Vermont through the established SMARTLIGHT reporting mechanisms.

For SMARTLIGHT eligible products, contractor shall quote the discounted price reflecting Efficiency Vermont's upstream incentives.

Contractor shall participate in the SMARTLIGHT program and shall have a signed Memo of Understanding (MOU) with Efficiency Vermont.

CONTRACT TERMS AND ADDITIONAL INFORMATION

PERFORMANCE / CONTRACT PERIOD: THIS CONTRACT IS WRITTEN FOR AN INITIAL TWO (2) YEAR TERM, WITH OPTIONS TO EXTEND FOR TWO ADDITIONAL ONE-YEAR PERIODS UPON MUTUAL AGREEMENT OF BOTH PARTIES.

STATE OF VERMONT ATTACHMENT C: STANDARD STATE CONTRACT PROVISIONS DATED JULY 1, 2016 AND ATTACHMENT D: COMMODITY PURCHASES TERMS AND CONDITIONS DATED NOVEMBER 10, 2010 ARE ATTACHED AND INCORPORATED AS PART OF THIS ORDER.

TERMS: NET 30 DAYS

QUANTITY: THE ANNUAL VALUE AND QUANTITIES ARE ESTIMATED ONLY BASED ON PRIOR USAGE; ACTUAL PURCHASES MAY BE HIGHER OR LOWER DEPENDING ON THE STATE'S NEEDS. THE CONTRACT MAXIMUM IS NOT REFLECTIVE OF ACTUAL USAGE.

DELIVERY: RESPONSIBILITY FOR PRODUCT DELIVERY REMAINS WITH THE CONTRACTOR UNTIL THE PRODUCT IS PROPERLY DELIVERED AND SIGNED FOR IN ACCORDANCE WITH THE OFFICE OF PURCHASING & CONTRACTING TERMS AND CONDITIONS. SHIPMENTS SHALL BE SECURELY AND PROPERLY PACKED, ACCORDING TO ACCEPTED COMMERCIAL PRACTICES, WITHOUT EXTRA CHARGE FOR PACKING CASES OR OTHER CONTAINERS. SUCH CONTAINERS WILL REMAIN THE PROPERTY OF THE STATE UNLESS OTHERWISE STATED. DELIVERED GOODS THAT DO NOT CONFORM TO THE SPECIFICATIONS OR ARE NOT IN GOOD CONDITION UPON RECEIPT SHALL BE REPLACED PROMPTLY BY THE CONTRACTOR.

PRICING: ALL EQUIPMENT PRICING IS TO INCLUDE F.O.B. DELIVERY TO THE ORDERING FACILITY. NO REQUEST FOR EXTRA DELIVERY COST WILL BE HONORED. ALL EQUIPMENT SHALL BE DELIVERED ASSEMBLED, SERVICED, OILED, AND READY FOR IMMEDIATE USE, UNLESS OTHERWISE REQUESTED BY THE PURCHASING AGENCY.

QUALITY: ALL PRODUCTS PROVIDED UNDER THESE AGREEMENTS WILL BE NEW AND UNUSED, UNLESS OTHERWISE STATED. FACTORY SECONDS OR REMANUFACTURED PRODUCTS WILL NOT BE ACCEPTED UNLESS SPECIFICALLY REQUESTED BY THE PURCHASING AGENCY. ALL PRODUCTS PROVIDED BY THE CONTRACTOR MUST MEET ALL FEDERAL, STATE, AND LOCAL STANDARDS FOR QUALITY AND SAFETY REQUIREMENTS. PRODUCTS NOT MEETING THESE STANDARDS WILL BE DEEMED UNACCEPTABLE AND RETURNED TO THE CONTRACTOR FOR CREDIT AT NO CHARGE TO THE STATE.

METHOD OF ORDERING: PURCHASE ORDERS MUST BE USED TO ORDER ITEMS AVAILABLE UNDER THIS CONTRACT. IF VERBAL ORDERS ARE GIVEN A CONFIRMING PURCHASE ORDER MUST BE ISSUED.

INVOICING: ALL INVOICES ARE TO BE RENDERED BY THE CONTRACTOR ON THE VENDOR'S STANDARD BILLHEAD AND FORWARDED DIRECTLY TO THE INSTITUTION OR AGENCY ORDERING MATERIALS OR SERVICES AND SHALL SPECIFY THE ADDRESS TO WHICH PAYMENTS WILL BE SENT.

CANCELLATION: THE STATE SPECIFICALLY RESERVES THE RIGHT TO CANCEL THE CONTRACT, OR ANY PORTION THEREOF, IF, IN THE OPINION OF ITS COMMISSIONER OF BUILDINGS AND GENERAL SERVICES, THE SERVICES OR MATERIALS SUPPLIED BY THE CONTRACTOR ARE NOT SATISFACTORY OR ARE NOT CONSISTENT WITH THE TERMS OF THE CONTRACT

DEFAULT: IN CASE OF DEFAULT OF THE CONTRACTOR, THE STATE MAY PROCURE THE MATERIALS OR SUPPLIES FROM OTHER SOURCES AND HOLD THE CONTRACTOR RESPONSIBLE FOR ANY EXCESS COST OCCASIONED THEREBY, PROVIDED, THAT IF PUBLIC

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NECESSITY REQUIRES THE USE OF MATERIALS OR SUPPLIES NOT CONFORMING TO THE SPECIFICATIONS THEY MAY BE ACCEPTED AND PAYMENT THEREFORE SHALL BE MADE AT A PROPER REDUCTION IN PRICE.						

REPORTING REQUIREMENTS: CONTRACTORS WILL BE REQUIRED TO SUBMIT QUARTERLY PRODUCT SALES REPORT TO THE PURCHASING AGENT PURSUANT TO THE SCHEDULE BELOW. EACH REPORT MUST CONTAIN THE FOLLOWING INFORMATION: CONTRACT NUMBER; USING DEPARTMENT'S ADDRESS, CONTACT NAME, AND TELEPHONE NUMBER; PRODUCT ORDERED; QUANTITY ORDERED; QUANTITY SHIPPED; AND PRICE CHARGED, WITH TOTALS FOR EACH PRODUCT FOR EACH REPORTING PERIOD. WE RESERVE THE RIGHT TO REQUEST ADDITIONAL INFORMATION OR TO MODIFY THE REPORTING PERIODS.

REPORTING PERIODS: QUARTERLY REPORTS MUST BE SUBMITTED IN ACCORDANCE WITH THE FOLLOWING SCHEDULE:

REPORTING PERIOD: JANUARY 1 TO MARCH 31 - REPORT DUE APRIL 15
REPORTING PERIOD: APRIL 1, TO JUNE 30 - REPORT DUE JULY 15
REPORTING PERIOD: JULY 1 TO SEPTEMBER 30 - REPORT DUE OCTOBER 15
REPORTING PERIOD: OCTOBER 1 TO DECEMBER 31 - REPORT DUE JANUARY 15

Note. A copy of these reports will also be submitted to the addresses below:

Efficiency Vermont
Attn: Phil Bickel
128 Lakeside Avenue
Suite 401
Burlington, VT 05401

State of Vermont Department of Buildings and General Services
Attn: Eric Sharp
eric.sharp@vermont.gov

CONTRACT TERMS: THIS CONTRACT WILL BE SUBJECT TO REVIEW THROUGHOUT ITS TERM. THE STATE WILL CONSIDER CANCELLATION UPON DISCOVERY THAT A VENDOR IS IN VIOLATION OF ANY PORTION OF THE AGREEMENT, INCLUDING AN INABILITY BY THE VENDOR TO PROVIDE THE PRODUCTS, SUPPORT, AND/OR SERVICE OFFERED IN THEIR RESPONSE.

VERMONT STATE COLLEGES: THIS CONTRACT IS ALSO AVAILABLE FOR USE BY THE UNIVERSITY OF VERMONT AND THE VERMONT STATE COLLEGES INC., A SEPARATE CORPORATION, HAVING UNDER ITS JURISDICTION CASTLETON STATE COLLEGE, JOHNSON STATE COLLEGE, LYNDON STATE COLLEGE, COMMUNITY COLLEGE OF VERMONT, AND THE VERMONT TECHNICAL COLLEGE.

TOWNS AND SCHOOLS OF THE STATE OF VERMONT: AT THE BIDDER'S ELECTION POLITICAL SUBDIVISIONS AND INDEPENDENT COLLEGES OF THE STATE MAY PARTICIPATE IN STATE CONTRACTS AT THE SAME PRICES, TERMS AND CONDITIONS. ITEMS FURNISHED TO POLITICAL SUBDIVISIONS AND INDEPENDENT COLLEGES WILL BE BILLED DIRECTLY TO AND PAID FOR BY THE POLITICAL SUBDIVISIONS OR INDEPENDENT COLLEGES AND NEITHER THE STATE NOR ITS COMMISSIONER OF BUILDINGS AND GENERAL SERVICES PERSONALLY OR OFFICIALLY ASSUMES ANY RESPONSIBILITY FOR THESE PAYMENTS.

AGENCIES & DEPARTMENTS ARE REQUESTED TO ADVISE THE PURCHASING AGENT AT ONCE OF THE FAILURE ON THE PART OF THE CONTRACTOR TO FULFILL ANY OF THE TERMS OR CONDITIONS OF THIS CONTRACT.

PLEASE REFER TO THE ASSIGNED CONTRACT NUMBER/PURCHASE ORDER # ON ALL CORRESPONDENCE, DELIVERY DOCUMENTS AND INVOICES.

THE VISA PURCHASING CARD MAY BE USED AS A FORM OF PAYMENT UNDER THIS CONTRACT.

PERFORMANCE MEASUREMENTS

1. DELIVERY IS REQUIRED WITHIN TWO WEEKS OF ACCEPTANCE OF A PURCHASE ORDER, UNLESS THE CONTRACTOR HAS ADVISED THE CUSTOMER ON AN ALTERNATE DELIVERY SCHEDULE (EXAMPLE-LONGER LEAD-TIME DUE TO MANUFACTURING CYCLE WHEN ORDERED FROM OEM). THE ACCEPTABLE QUALITY LEVEL FOR ON TIME DELIVERY WILL BE 99%; THE CUSTOMER WILL REPORT ANY DELIVERIES THAT DO NOT MEET THE CONTRACTORS PROMISED DELIVERY DATE TO THE STATE CONTRACT MANAGER. CONTRACTORS DELIVERY PERFORMANCE WILL BE REVIEWED IN PERIODIC CONTRACT REVIEW MEETINGS BETWEEN THE STATE OF VERMONT (SOV) AND THE CONTRACTOR.

2. THE CONTRACTOR MUST COMPLETE THE REPORTING REQUIREMENTS OUTLINED IN THE RFP AND IN THIS CONTRACT, A FAILURE BY THE CONTRACTOR TO COMPLETE THEIR QUARTERLY REPORTING ON TIME IN TWO CONSECUTIVE QUARTERS WILL RESULT IN A

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CONTRACT REVIEW WITH POTENTIAL CONSEQUENCES AS SEVERE AS TERMINATION.						

3. ORDERING - SUPPLIER MUST RESPOND TO CUSTOMERS REQUESTS FOR TECHNICAL INFORMATION, PRICING, AND DELIVERY INFORMATION WITHIN 48 HOURS OR LESS OF THE FIRST CONTACT BY THE CUSTOMER. THE CUSTOMER WILL REQUIRE A 99% COMPLIANCE TO THIS REQUIREMENT, WITH THE CUSTOMER REPORTING ANY CONTRACTOR NON-COMPLIANCE TO THE STATE CONTRACT MANAGER. THE CONTRACTORS CUSTOMER RESPONSE PERFORMANCE WILL BE REVIEWED IN PERIODIC CONTRACT REVIEW MEETINGS BETWEEN THE SOV AND THE CONTRACTOR. DELIVERY PERFORMANCE MEASURES: PENALTY MAY BE IMPOSED ON CONTRACTORS THAT HAVE CONTINUAL LATE DELIVERIES. THESE PENALTIES MAY INCLUDE BUT ARE NOT LIMITED TO CANCELLATION OF ORDERS, REQUEST FOR DISCOUNTED PRICING, NON-USE OF AN OFFENDING CONTRACTOR OR CANCELLATION OF THE CONTRACTOR'S CONTRACT. THE ACCEPTABLE QUALITY LEVEL FOR ON TIME DELIVERY WILL BE 99%; THE CUSTOMER WILL REPORT ANY DELIVERIES THAT DO NOT MEET THE CONTRACTOR'S PROMISED DELIVERY DATE OF THE OFFICE OF PURCHASING & CONTRACTING. CONTRACTOR'S DELIVERY PERFORMANCE MAY BE REVIEWED IN PERIODIC CONTRACT REVIEWING BETWEEN THE STATE OF VERMONT AND THE CONTRACTOR.

SALES POC INFORMATION
BARRY SPENCER
802-839-5466
barry.spencer@needhamelectric.com

IF YOU HAVE ANY QUESTIONS REGARDING THIS DOCUMENT PLEASE CONTACT:
BRIAN BERINI
SENIOR PURCHASING AGENT
PHONE: 802-828-2217
FAX: 802-828-2222
brian.berini@vermont.gov

WE THE UNDERSIGNED PARTIES AGREE TO BE BOUND BY THIS CONTRACT

By the STATE of VERMONT

By the CONTRACTOR

Date: _____

Date: _____

Signature: _____

Signature: _____

Name: _____

Name: _____

Title: _____

Title: _____

Email: _____

Email: _____